

THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

WATSON GRINDING &
MANUFACTURING CO.,

Debtor.

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CASE NO. 20-30967

(Chapter 11)

HUNG LONG LE AND THI THUY
NGUYEN,

Plaintiffs,

VS.

WATSON GRINDING AND
MANUFACTURING COMPANY,
KMHJ, LTD., AND KMHJ
MANAGEMENT COMPANY, LLC,

Defendants.

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ADVERSARY NO. _____

NOTICE OF REMOVAL

Watson Grinding & Manufacturing Co. (the “Debtor”) files this Notice of Removal of the state court action styled *Hung Long Le and Thi Thuy Nguyen v. Watson Grinding and, Manufacturing Company, KMHJ, Ltd., and KMHJ Management Company, LLC*, Cause No. 2020-10021, pending in the 270th Judicial District Court of Harris County, Texas (the “State Court Action”).

I. Procedural Background and Nature of Suit

1. On February 6, 2020 (the “Petition Date”), the Debtor filed its voluntary petition under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”), commencing the bankruptcy case captioned *In re Watson Grinding & Manufacturing Co.*, Case No. 20-30967, pending in the United States Bankruptcy Court Southern District of Texas, Houston Division (the “Chapter 11 Bankruptcy Case”).

2. On February 12, 2020, Hong Long Le and Thi Thuy Nguyen (collectively, the “Plaintiffs”) filed their Original Petition (the “Original Petition”). In their Original Petition, the Plaintiffs assert claims of negligence and gross negligence against the Defendants.

3. On April 17, 2020, KMHJ, Ltd. and KMHJ Management Company, LLC filed their Original Answer.

II. Basis for Removal

4. This Notice of Removal is filed pursuant to 28 U.S.C. § 1452, Bankruptcy Rule 9027, and Local Bankruptcy Rules 9027-1, 9027-2, 9027-3, and the *General Order of Reference* entered by the District Court of this District on March 10, 2005.

5. The State Court Action was initiated *after* the commencement of the Chapter 11 Case. This Notice of Removal has been timely filed pursuant to Bankruptcy Rule 9027(a)(2). *In re R.E. Loans, LLC*, No. 11-35865, 2012 WL 3262767, at *2 (Bankr. S.D. Tex. Aug. 8, 2012).

6. Venue in this Court is proper pursuant to 28 U.S.C. § 1409.

7. Cases subject to jurisdiction are removable under the authority of 28 U.S.C. § 1452(a) (“A party may remove any claim or cause of action...to the district court for the district where such civil action is pending, if such district court has jurisdiction of such claim or cause of action under section 1334 of this title”). The State Court Action, including all claims and causes of action asserted therein, is a civil action other than a proceeding before the United States Tax Court. The State Court Action is not a civil action by a government unit to enforce such government unit’s police or regulatory power.

8. This Court has jurisdiction over this case pursuant to 28 U.S.C. § 1334(b) (federal district courts have “original jurisdiction of all civil proceedings...arising in or related to cases under title 11”). The State Court Action “arises in” or, alternatively, is “related to” a Title 11 case, *i.e.* the Debtor’s Chapter 11 Bankruptcy Case. In this circuit, “related to” proceedings include any case whose

outcome “could *conceivably* have any effect on the administration of the estate.” *In re Wood*, 825 F.2d 90, 93 (5th Cir. 1987) (emphasis added); *In re Baudoin*, 981 F.2d 736, 740 (5th Cir. 1993).

9. The resolution of this State Court Action will have a direct impact on the bankruptcy estate of the Debtor. The State Court Action is related to the Debtor’s Chapter 11 Bankruptcy Case because the outcome of State Court Action could conceivably change the Debtor’s rights, liabilities, or options in a way that would have an effect upon the handling and administration of the bankruptcy estate.

10. Thus, the claims asserted in the State Court Action are claims that arise in or are otherwise related to the Debtor’s Chapter 11 Case pursuant to 28 U.S.C. § 1334(b), and removal to this Court is proper pursuant to 28 U.S.C. § 1452(a).

III. Core or Non-Core Bankruptcy Jurisdiction

11. This action involves the administration of the Debtor’s estate and is a proceeding affecting the adjustment of the debtor-creditor relationship; it is, therefore, a core proceeding under 28 U.S.C. § 157(b)(2)(A)(B)(C) and (O). The claims and causes of action in the State Court Action have a clear and direct impact on the interests and property of the Debtor’s estate under 11 U.S.C. § 541.

12. Upon removal of the State Court Action, the Debtor consents to the entry of final orders or judgment by the bankruptcy judge.

IV. Parties and Notice

13. Pursuant to 28 U.S.C. § 1452(a), Federal Bankruptcy Rule 9027(b), and Local Rule 9027-1, all adverse parties are being provided with a copy of this Notice of Removal and a copy of this Notice of Removal is being filed with the clerk of the 270th Judicial District Court of Harris County, Texas.

14. In accordance with Local Rule 9027-1(a), the names and addresses of the parties and counsel in the State Court Action, who have or will be served with the notice, are as follows:

Robert A. McAllister, Jr., P.C. Robert A. McAllister Regency Square Tower 6200 Savoy, Ste 310 Houston, TX 77036-3324 ATTORNEYS FOR PLAINTIFFS	McCoy Leavitt Laskey LLC John V. McCoy Michael I. Ramirez N19 W24200 Riverwood Dr., Suite 125 Waukesha, WI 53188 ATTORNEYS FOR WATSON GRINDING & MANUFACTURING CO.
Jackson Walker L.L.P. Bruce J. Ruzinsky 1401 McKinney, Suite 1900 Houston, Texas 77010 The Silvera Firm Robert C. Turner 17070 Dallas Parkway, Dallas, Texas 75248 ATTORNEYS FOR KMHJ Management Company, LLC and KMHJ, Ltd.	Gieger, Laborde & Laperouse L.L.C. Ernest P. Gieger, Jr. 701 Poydras Street, Suite 4800 New Orleans, Louisiana 70139 egieger@glllaw.com bdoherty@glllaw.com ATTORNEYS FOR WATSON VALVE SERVICES, INC.

V. Process and Pleadings

15. Pursuant to Bankruptcy Rule 9027(a)(1) and Local Bankruptcy Rule 9027-1(b), true and correct copies of all process and pleadings filed in the State Court Action (as set forth in the attached Exhibit “A”) have been provided.

16. In the State Court Action, summons were issued on February 17, 2020, and returns of summons were filed on March 4 and 13, 2020.

17. In accordance with Bankruptcy Rule 9027(c), the Debtor will promptly file a notice of the filing of this Notice of Removal in the State Court Action.

WHEREFORE, the Debtor notifies the United States Bankruptcy Court for the Southern District of Texas, Houston Division, that the State Court Action is hereby removed in its entirety to this Court pursuant to 28 U.S.C. § 1452(a) and Bankruptcy Rule 9027.

Dated: April 22, 2020.

Respectfully submitted,

JONES MURRAY & BEATTY, LLP

By: /s/ Ruth Van Meter
Erin E. Jones
Texas Bar No. 24032478
Ruth Van Meter
Texas Bar No. 20661570
Jones Murray & Beatty, LLP
4119 Montrose Suite 230
Houston, Texas 77006
Phone: 832-529-1999
Fax: 832-529-5513
erin@jmbllp.com
ruth@jmbllp.com

AND

McCOY LEAVITT LASKEY LLC

By: /s/ Michael I. Ramirez
Michael I. Ramirez
Texas Bar No. 24008604
20726 Stone Oak Parkway, Suite 116
San Antonio, TX 78258
Telephone (210) 446-2828
Fax (262) 522-7020
mramirez@mlllaw.com

**ATTORNEYS FOR WATSON GRINDING &
MANUFACTURING CO.**

CERTIFICATE OF SERVICE

I certify that on April 22, 2020, a true and correct copy of the foregoing Notice was served via ECF/PACER to all parties registered to receive such service and via first class mail (without attachments) to the following:

Robert A. McAllister, Jr., P.C. Robert A. McAllister Regency Square Tower 6200 Savoy, Ste 310 Houston, TX 77036-3324 ATTORNEYS FOR PLAINTIFFS	Gieger, Laborde & Laperouse L.L.C. Ernest P. Gieger, Jr. 701 Poydras Street, Suite 4800 New Orleans, Louisiana 70139 ATTORNEYS FOR WATSON VALVE SERVICES, INC.
McCoy Leavitt Laskey LLC John V. McCoy Michael I. Ramirez N19 W24200 Riverwood Dr., Suite 125 Waukesha, WI 53188 ATTORNEYS FOR WATSON GRINDING & MANUFACTURING CO.	Jackson Walker L.L.P. Bruce J. Ruzinsky 1401 McKinney, Suite 1900 Houston, Texas 77010 The Silvera Firm Robert C. Turner 17070 Dallas Parkway, Dallas, Texas 75248 ATTORNEYS FOR KMHJ Management Company, LLC and KMHJ, Ltd.

/s/ Ruth Van Meter

Ruth Van Meter

EXHIBIT A – STATE COURT PLEADINGS

HCDistrictclerk.comLE, HUNG LONG vs. WATSON AND GRINDING
MANUFACTURING COMPANY

4/17/2020

Cause: 202010021 CDI: 7 Court: 270

DOCUMENTS

Number	Document	Post Jdgm	Date	Pgs
89927608	Citation		03/13/2020	12
89783111	Citation		03/04/2020	3
89877688	Citation		03/04/2020	3
89403967	PLAINTIFFS ORIGINAL PETITION		02/12/2020	6
-> 89403968	CIVIL PROCESS REQUEST FORM		02/12/2020	2
-> 89403969	CIVIL PROCESS REQUEST FORM		02/12/2020	2

HUNG LONG LE, THI THUY NGUYEN,
Plaintiffs,

§
§

IN THE CIVIL DISTRICT COURT

v.

§
§

HARRIS COUNTY, TEXAS

**WATSON GRINDING AND MANUFACTURING
COMPANY; KMHJ, LTD.; KMHJ
MANAGEMENT COMPANY, LLC,**

§
§
§
§

_____ **JUDICIAL DISTRICT**

Defendants.

PLAINTIFFS' ORIGINAL PETITION

Plaintiffs Hung Long Le and Thi Thuy Nguyen (hereinafter collectively referred to as "Plaintiffs") complain of Watson Grinding and Manufacturing Company, KMHJ, Ltd.; and KMHJ Management Company LLC (hereinafter collectively referred to as "Defendants") and would respectively show the Court that:

I.

JURISDICTION & VENUE

1. The claims asserted arise under the common laws of Texas. This Court has jurisdiction and venue is proper because the events giving rise to this lawsuit occurred in this County. TEX. CIV. PRAC. & REM. CODE § 15.002. Further, Defendants are residents of Harris County, Texas, and therefore, the case is not removable.
2. Plaintiff is seeking monetary relief over \$200,000.00 but not more than \$1,000,000.00.

II.

DISCOVERY LEVEL

3. Discovery in this matter may be conducted under Level 2 of the Texas Rules of Civil Procedure.

III.

PARTIES

4. Plaintiff Hung Long Le is a Texas resident.
5. Plaintiff Thi Thuy Nguyen is a Texas resident.
6. Defendant Watson Grinding and Manufacturing Company is a Texas entity with a principal place of business located in Harris County. The Defendant may be through its registered agent, John Watson at 4525 Gessner Road, Houston, Texas 77041, or wherever he may be found.
7. Defendant KHHJ, Ltd. is a Texas limited partnership with a principal place of business located in Harris County. This Defendant may be served by serving its general partner, KMHJ Management Company, LLC through its registered agent, Kelly Watson at 1400 McKinney Street, #1212, Houston, Texas 77010.
8. Defendant KMHJ Management Company, LLC is Texas entity with a principal place of business located in Harris County. This Defendant may be served through its registered agent, Kelly Watson at 1400 McKinney Street, #1212, Houston, Texas 77010, or wherever she may be found.

IV.

NATURE OF THE ACTION

9. On January 24, 2020, Plaintiffs suffered injuries and property damage as a result of Defendants' negligence and gross negligence. At all material times Plaintiffs were home owners in a Northwest Houston neighborhood where Defendants own, operate, and manage an industrial facility. On that date, the Plaintiffs suffered injuries and serious property damage due to a catastrophic explosion at Defendants' facility. The explosion was

tremendous and could be felt miles away. It is believed that the explosion was caused by a combination of propylene and natural gas which were near each other at the facility.

Plaintiffs were within the blast radius and vicinity of the building at the time of the explosion and therefore suffered significant damage to their personal property, dwelling, in addition to bodily injuries.

V.

CAUSE OF ACTION

A. Negligence and Gross Negligence Claims (against all Defendants)

10. Plaintiffs repeat and reallege each allegation contained above.
11. Plaintiffs sustained injuries because of Defendants' negligence and gross negligence when Defendant:
 - a. Failed to properly train their employees;
 - b. Failed to provide adequate equipment;
 - c. Failed to properly supervise their employees;
 - d. Failed to conduct adequate maintenance;
 - e. Failed to maintain their facility;
 - f. Failed to maintain their equipment;
 - g. Failed to properly supervise work being performed;
 - h. Failed to provide adequate warning to Plaintiffs of the dangerous condition;
 - i. Failed to inform Plaintiffs of the defective nature of the condition;
 - j. Failed to provide adequate instruction;
 - k. Failed to properly inspect the premises;
 - l. Failed to implement adequate safety policies and procedures;

- m. Failed to insure its safety systems were adequate and functional;
 - n. Failed to implement adequate explosion prevention systems;
 - o. Failed to properly repair storage tanks, gas lines and valves;
 - p. Failed to properly train its safety personnel to prevent explosions such as the one underlying the suit;
 - q. Committed violations of applicable rules, regulations, and standards;
 - r. Are icariously liable for the act(s) and omission(s) of their employee(s) and agent(s); and other acts deemed negligent and grossly negligent
12. Each of these acts and omissions of Defendants constitutes a wanton and reckless disregard for the safety of the Plaintiffs and singularly or in concert, constitutes a proximate cause of the resulting damages, including but not limited to loss of the use and enjoyment of their property, loss in value of their property; and other property damage.
13. In addition, Plaintiffs are entitled to punitive damages because the aforementioned actions of Defendants were grossly negligent. Defendants acted with flagrant and malicious disregard of Plaintiffs' and other's health and safety. Defendants were objectively aware of the extreme risk posed by the conditions which caused Plaintiffs' injuries, but did nothing to rectify them. Defendants' acts and omissions involved an extreme degree of risk considering the probability and magnitude of potential harm to Plaintiffs and others. Defendants had actual subjective awareness of the risk, and consciously disregarded such risk. According, Plaintiffs are entitled to and seek exemplary damages.

VI.

DAMAGES

14. As a direct and proximate result of the occurrence made in the basis of this lawsuit,

Plaintiffs have suffered and seek monetary relief for the following:

- A. Remedial costs for real property damage;
- B. Replacement costs for personal, property damage;
- C. Costs of completion;
- D. Expenses of temporary alternate housing;
- E. Past and future mental anguish;
- F. Past and future medical expenses;
- G. Past and future physical suffering;
- H. Loss of earnings and earnings capacity in the past and future;
- I. Past and future disfigurement;
- J. Interest on damages (pre and post-judgment) in accordance with the law
- K. Loss of household services in the past and future;
- L. Loss of use;
- M. Costs of suit;
- N. Incidental and consequential damages;
- O. Business interruption damages;
- P. Diminution in value of property; and
- Q. All other relief to which Plaintiffs may be justly entitled.

VII.

RULE 193.7 NOTICE

15. Pursuant to 193.7 of the Texas Rules of Civil Procedure, Plaintiffs hereby give actual notice to Defendants that any and all documents produced may be used against the Defendants producing the documents at any pretrial proceedings and/or trial of this matter

without the necessity of authenticating documents.

VIII.

PRAYER

WHEREFORE PREMISES CONSIDERED, Plaintiffs may pray that they obtain a judgment against Defendants, jointly and severally, for damages in the amount of \$500,000.00 and for such other relief, both in law and equity, to which Plaintiffs may show themselves justly entitled.

Respectfully submitted,

ROBERT A. McALLISTER, JR., P.C.

/S/ ROBERT A. MCALLISTER JR.

Robert A. McAllister, Jr.

TBN: 13320700

Regency Square Tower

6200 Savoy, Suite 310

Houston, Texas 77036

Tel: (713) 776-0900

Fax: (713) 776-1414

robertmcallisterlaw@yahoo.com

ATTORNEY FOR PLAINTIFFS

HUNG LONG LE,

AND THI THUY NGUYEN

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING
FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: _____ CURRENT COURT: _____

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): Original Petition _____

FILE DATE OF MOTION: 2/12/20 _____
Month/ Day/ Year

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):

1. NAME: WATSON GRINDING AND MANUFACTURING COMPANY _____
ADDRESS: 4525 GESSNER RD., HOUSTON, TX 77041 _____
AGENT, (if applicable): JOHN WATSON _____

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): CITATION _____

SERVICE BY (check one):

- ☐ ATTORNEY PICK-UP ☒ CONSTABLE
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____
☐ MAIL ☐ CERTIFIED MAIL
☐ PUBLICATION:
Type of Publication: ☐ COURTHOUSE DOOR, or
☐ NEWSPAPER OF YOUR CHOICE: _____
☐ OTHER, explain _____

ATTENTION: Effective June1, 2010

For all Services Provided by the DISTRICT CLERKS OFFICE requiring our office to MAIL something back to the Requesting Party, we require that the Requesting Party provide a Self-Addressed Stamped Envelope with sufficient postage for mail back. Thanks you,

2. NAME: KMHJ, LTD. _____
ADDRESS: 1400 MCKINNEY STREET, #1212, HOUSTON, TX 77010 _____
AGENT, (if applicable): KELLY WATSON _____

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): _____

SERVICE BY (check one):

- ☐ ATTORNEY PICK-UP ☒ CONSTABLE
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____
☐ MAIL ☐ CERTIFIED MAIL
☐ PUBLICATION:
Type of Publication: ☐ COURTHOUSE DOOR, or
☐ NEWSPAPER OF YOUR CHOICE: _____
☐ OTHER, explain _____

ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:

NAME: ROBERT A. MCALLISTER JR. _____ TEXAS BAR NO./ID NO. 13320700 _____
MAILING ADDRESS: 6200 SAVOY SUITE 310 HOUSTON, TEXAS 77036 _____
PHONE NUMBER: 713 _____ 776-0900 _____ FAX NUMBER: 713 _____ 776-1414 _____
area code phone number area code fax number
EMAIL ADDRESS: ROBERTMCALLISTERLAW@YAHOO.COM _____

SERVICE REQUESTS WHICH CANNOT BE PROCESSED BY THIS OFFICE WILL BE HELD FOR 30 DAYS PRIOR TO CANCELLATION. FEES WILL BE REFUNDED ONLY UPON REQUEST, OR AT THE DISPOSITION OF THE CASE. SERVICE REQUESTS MAY BE REINSTATED UPON APPROPRIATE ACTION BY THE PARTIES.

INSTRUMENTS TO BE SERVED:

(Fill In Instrument Sequence Number, i.e. 1st, 2nd, etc.)

ORIGINAL PETITION

_____ AMENDED PETITION

_____ SUPPLEMENTAL PETITION

COUNTERCLAIM

_____ AMENDED COUNTERCLAIM

_____ SUPPLEMENTAL COUNTERCLAIM

CROSS-ACTION:

_____ AMENDED CROSS-ACTION

_____ SUPPLEMENTAL CROSS-ACTION

THIRD-PARTY PETITION:

_____ AMENDED THIRD-PARTY PETITION

_____ SUPPLEMENTAL THIRD-PARTY PETITION

INTERVENTION:

_____ AMENDED INTERVENTION

_____ SUPPLEMENTAL INTERVENTION

INTERPLEADER

_____ AMENDED INTERPLEADER

_____ SUPPLEMENTAL INTERPLEADER

INJUNCTION

MOTION TO MODIFY

SHOW CAUSE ORDER

TEMPORARY RESTRAINING ORDER

BILL OF DISCOVERY:

ORDER TO: _____
(specify)MOTION TO: _____
(specify)PROCESS TYPES:NON WRIT:

CITATION

ALIAS CITATION

PLURIES CITATION

SECRETARY OF STATE CITATION

COMMISSIONER OF INSURANCE

HIGHWAY COMMISSIONER

CITATION BY PUBLICATION

NOTICE

SHORT FORM NOTICE

PRECEPT (SHOW CAUSE)

RULE 106 SERVICE

SUBPOENA

WRITS:

ATTACHMENT (PROPERTY)

ATTACHMENT (WITNESS)

ATTACHMENT (PERSON)

CERTIORARI

EXECUTION

EXECUTION AND ORDER OF SALE

GARNISHMENT BEFORE JUDGMENT

GARNISHMENT AFTER JUDGMENT

HABEAS CORPUS

INJUNCTION

TEMPORARY RESTRAINING ORDER

PROTECTIVE ORDER (FAMILY CODE)

PROTECTIVE ORDER (CIVIL CODE)

POSSESSION (PERSON)

POSSESSION (PROPERTY)

SCIRE FACIAS

SEQUESTRATION

SUPERSEDEAS

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING
FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: _____ CURRENT COURT: _____

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): Original Petition _____

FILE DATE OF MOTION: 2/12/20 _____
Month/ Day/ Year

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):

1. NAME: KMHJ MANAGEMENT COMPANY, LLC _____
ADDRESS: 1400 MCKINNEY STREET, #1212, HOUSTON TEXAS, 77010 _____
AGENT, (if applicable): KELLY WATSON _____

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): CITATION _____

SERVICE BY (check one):

- ☐ ATTORNEY PICK-UP ☒ CONSTABLE
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____
☐ MAIL ☐ CERTIFIED MAIL
☐ PUBLICATION:
Type of Publication: ☐ COURTHOUSE DOOR, or
☐ NEWSPAPER OF YOUR CHOICE: _____
☐ OTHER, explain _____

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For all Services Provided by the DISTRICT CLERKS OFFICE requiring our office to MAIL something back to the Requesting Party, we require that the Requesting Party provide a Self-Addressed Stamped Envelope with sufficient postage for mail back. Thanks you,

2. NAME: _____
ADDRESS: _____
AGENT, (if applicable): _____

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): _____

SERVICE BY (check one):

- ☐ ATTORNEY PICK-UP ☐ CONSTABLE
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____
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☐ OTHER, explain _____

ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:

NAME: ROBERT A. MCALLISTER JR. _____ TEXAS BAR NO./ID NO. 13320700 _____
MAILING ADDRESS: 6200 SAVOY SUITE 310 HOUSTON, TEXAS 77036 _____
PHONE NUMBER: 713 _____ 776-0900 _____ FAX NUMBER: 713 _____ 776-1414 _____
area code phone number area code fax number
EMAIL ADDRESS: ROBERTMCALLISTERLAW@YAHOO.COM _____

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INSTRUMENTS TO BE SERVED:

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_____ AMENDED PETITION

_____ SUPPLEMENTAL PETITION

COUNTERCLAIM

_____ AMENDED COUNTERCLAIM

_____ SUPPLEMENTAL COUNTERCLAIM

CROSS-ACTION:

_____ AMENDED CROSS-ACTION

_____ SUPPLEMENTAL CROSS-ACTION

THIRD-PARTY PETITION:

_____ AMENDED THIRD-PARTY PETITION

_____ SUPPLEMENTAL THIRD-PARTY PETITION

INTERVENTION:

_____ AMENDED INTERVENTION

_____ SUPPLEMENTAL INTERVENTION

INTERPLEADER

_____ AMENDED INTERPLEADER

_____ SUPPLEMENTAL INTERPLEADER

INJUNCTION

MOTION TO MODIFY

SHOW CAUSE ORDER

TEMPORARY RESTRAINING ORDER

BILL OF DISCOVERY:

ORDER TO: _____
(specify)MOTION TO: _____
(specify)PROCESS TYPES:NON WRIT:

CITATION

ALIAS CITATION

PLURIES CITATION

SECRETARY OF STATE CITATION

COMMISSIONER OF INSURANCE

HIGHWAY COMMISSIONER

CITATION BY PUBLICATION

NOTICE

SHORT FORM NOTICE

PRECEPT (SHOW CAUSE)

RULE 106 SERVICE

SUBPOENA

WRITS:

ATTACHMENT (PROPERTY)

ATTACHMENT (WITNESS)

ATTACHMENT (PERSON)

CERTIORARI

EXECUTION

EXECUTION AND ORDER OF SALE

GARNISHMENT BEFORE JUDGMENT

GARNISHMENT AFTER JUDGMENT

HABEAS CORPUS

INJUNCTION

TEMPORARY RESTRAINING ORDER

PROTECTIVE ORDER (FAMILY CODE)

PROTECTIVE ORDER (CIVIL CODE)

POSSESSION (PERSON)

POSSESSION (PROPERTY)

SCIRE FACIAS

SEQUESTRATION

SUPERSEDEAS

1667/4930

COPY OF PLEADING PROVIDED BY PLTD.

CAUSE NO. 202010021

RECEIPT NO.

75.00

COL

TR # 73725381

P-3

PLAINTIFF: LE, HUNG LONG

vs.

DEFENDANT: WATSON AND GRINDING MANUFACTURING COMPANY

In The 270th
Judicial District Court
of Harris County, Texas
270TH DISTRICT COURT
Houston, TX

CITATION

THE STATE OF TEXAS
County of Harris

TO: KHHJ LTD (TEXAS LIMITED PARTNERSHIP)
 BY SERVING ITS GENERAL PARTNER KMHJ MANAGEMENT COMPANY LLC
 THROUGH ITS REGISTERED AGENT KELLY WATSON
 1400 MCKINNEY STREET #1212 HOUSTON TX 77010
 Attached is a copy of PLAINTIFF'S ORIGINAL PETITION

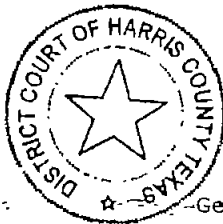
This instrument was filed on the 12th day of February, 2020, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 17th day of February, 2020, under my hand and seal of said Court.

Issued at request of:
 MCALLISTER, ROBERT A. JR.
 6200 SAVOY, SUITE 310
 HOUSTON, TX 77036
 Tel: (713) 776-0900
Bar No.: 13320700



mail Bunge
 MARILYN BURGESS, District Clerk
 Harris County, Texas
 201 Caroline, Houston, Texas 77002
 (P.O. Box 4651, Houston, Texas 77210)

FILED
 Marilyn Burgess
 District Clerk

03-04-2020
 Time: 9:30 AM
 MAR 04 2020
 Harris County, Texas
 By: *[Signature]*
 Mail Processing Clerk

Generated By: GILBERT, COURTNI NICOLE
 USU//11439580

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock ____ M., on the _____ day of _____,

Executed at (address) _____ in

_____ County at _____ o'clock ____ M., on the _____ day of _____,

_____, by delivering to _____ defendant, in person, a

true copy of this Citation together with the accompanying _____ copy(ies) of the Petition

attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this _____ day of _____,

FEE: \$ _____

_____ of _____ County, Texas

 Affiant

By _____
 Deputy

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____,

 Notary Public

Constable Return of Corporation

Cause #: 202010021

Tracking #: 73725381

In the case of LE, HUNG LONG VS WATSON AND GRINDING MANUFACTURING COMPANY a CITATION and attached PLAINTIFF'S ORIGINAL PETITION was issued by the 270th Judicial District court of HARRIS County, and came to hand on the 24 day of February, 2020 at 3:34PM to be delivered at 1400 MCKINNEY ST 1212, HOUSTON, TX 77010 by delivering to: KHHJ LTD (TEXAS LIMITED PARTNERSHIP) BY SERVING ITS GENERAL PARTNER KMHJ MANAGEMENT CO LLC THROUGH ITS REGISTERED AGENT KELLY WATSON

Service of Corporation

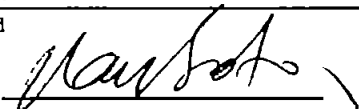
Executed the same in HARRIS County, Texas, on the 2 day of March, 2020 at 10:01AM by summoning KHHJ LTD (TEXAS LIMITED PARTNERSHIP) a Corporation at 1400 MCKINNEY ST 1212, HOUSTON, Texas 77010 By delivering to KELLY WATSON in person the REGISTERED AGENT of said Corporation a true copy of this CITATION, together with the accompanying certified copy of the PLAINTIFF'S ORIGINAL PETITION

Fee Due \$ 0.00

by Deputy Nancy Soto - 1C67

Printed

Deputy Signature



Attempts:

1

Total Attempts:

1

Alan Rosen , Constable Precinct #1

Harris County Texas

1302 Preston, 3rd Floor
Houston Texas 77002
713.755.5200

County Auditor's Form/9999A

Official Receipt

104 NO. 858627

Harris County, Texas (Rev 04/01)

MARILYN BURGESS DISTRICT CLERK

Action : Other Injury or Damage

Case: 202010021-7

Trans ID: 213451163

Court 270

Style PLT: LE, HUNG LONG

DEF. WATSON AND GRINDING MANUFACTURING COMPANY

Fee	Description	Amount			
100	FILING NEW CASE	\$50.00	Payment Texas.gov Visa	514510/1/2021	\$516.00
121	CITATION WITH 1 COPY	\$24.00	Amount Tendered :		\$516.00
175	DISTRICT COURT RECORDS ARCHIVE FEE	\$10.00	Payment Amount		\$516.00
176	DIGITAL REC PRESERVATION FEE	\$10.00	Amount Applied		\$516.00
178	ELECTRONIC FILING FEE - STATE	\$30.00	Change Amount		\$0.00
183	JUDICIAL AND COURT PERSONNEL TRAINING	\$5.00	Received	Law Offices of Robert A. McAllister, Jr., 10022506 and Associates P.C.	
195	SECURITY SERVICE FEE	\$5.00	Of	6200 Savoy, Suite 310 Houston, TX 77036	
198	DIST CLK RECORDS MGMT / PRES FEE	\$5.00		FIVE HUNDRED SIXTEEN AND 00/100 *****Dollars	
199	RECORD PRESERVATION FEE	\$5.00	Payment Date: 2/13/2020	File Date: 2/12/2020	
350	CONST-PERSONAL SERVICE	\$225.00			
450	JUDICIAL FILING FEE - CIVIL	\$50.00			
452	LEGAL SRVCS FEE-CIVIL/DIST	\$10.00	Customer Signature	_____	
453	SUPPORT OF JUDICIARY FEE	\$42.00	Assessed By GILBERT, COURTNI N		
475	LAW LIBRARY	\$15.00	Validated 2/13/2020	By SYSTEM GENERATED, Texas.gov 104	
525	STENO FEE	\$15.00	Manual Receipt Nbr. 0		
601	DISPUTE RESOLUTION FEE	\$10.00			
775	APPELLANT JUDICIAL FUND	\$5.00			

Comment: Envelope number: 40794505 - 0

CAUSE NO. 202010021

COPY OF PLEADING PROVIDED BY PLTD.

RECEIPT NO.

75.00

C01

TR # 73725388

PLAINTIFF: LE, HUNG LONG

vs.

DEFENDANT: WATSON AND GRINDING MANUFACTURING COMPANY

In The 270th
Judicial District Court
of Harris County, Texas
270TH DISTRICT COURT
Houston, TX

CITATION

THE STATE OF TEXAS
County of Harris

TO: KMHJ MANAGEMENT COMPANY LLC
BY SERVING ITS REGISTERED AGENT KELLY WATSON
OR WHEREVER SHE MAY BE FOUND
1400 MCKINNEY STREET #1212 HOUSTON TX 77010
Attached is a copy of PLAINTIFF'S ORIGINAL PETITION

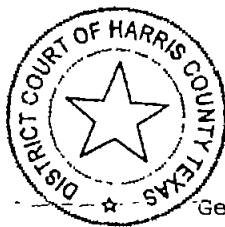
This instrument was filed on the 12th day of February, 2020, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 17th day of February, 2020, under my hand and seal of said Court.

Issued at request of:
MCALLISTER, ROBERT A. JR.
6200 SAVOY, SUITE 310
HOUSTON, TX 77036
Tel: (713) 776-0900
Bar No.: 13320700



MARILYN BURGESS, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P.O. Box 4651, Houston, Texas 77210)

Generated By: GILBERT, COURTNI NICOLE
U5U//11439580

FILEDMarilyn Burgess
District Clerk

Time: 8:03 AM
By: [Signature]
Mail Processing Clerk

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock ____ M., on the _____ day of _____,

Executed at (address) _____ in

_____ County at _____ o'clock ____ M., on the _____ day of _____,

_____, by delivering to _____ defendant, in person, a

true copy of this Citation together with the accompanying _____ copy(ies) of the Petition

attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this _____ day of _____,

FEE: \$ _____

_____ of _____ County, Texas

Affiant

By _____

Deputy

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____,

Notary Public

Constable Return of Corporation

Cause #: 202010021Tracking #: 73725388

In the case of LE, HUNG LONG VS WATSON AND GRINDING MANUFACTURING COMPANY a CITATION and attached PLINTIFF'S ORIGINAL PETITION was issued by the 270th Judicial District court of HARRIS County, and came to hand on the 24 day of February, 2020 at 11:16AM to be delivered at 1400 MCKINNEY ST 1212, HOUSTON, TX 77010 by delivering to: KMHJ MANAGEMENT COMPANY LLC BY SERVING ITS REGISTERED AGENT KELLY WATSON

Attempted Service

(Attempted service at 1400 MCKINNEY ST 1212 unless otherwise noted.)

Date	Time	Deputy Name	Agency	Service Attempt Type	Address Attempted	Remarks
3/2/2020	10:46:03 AM	Nancy Soto	1	SERVED DEFENDANT	1400 MCKINNEY ST 1212 HOUSTON TX 77010	LOCATED ANOTHER PAPER WENT BACK TO SERVE 2ND CITATION SAME INDIVIDUAL

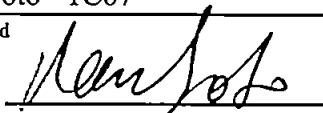
Service of Corporation

Executed the same in HARRIS County, Texas, on the 2 day of March, 2020 at 10:46AM by summoning KMHJ MANAGEMENT COMPANY LLC a Corporation at 1400 MCKINNEY ST 1212, HOUSTON, Texas 77010 By delivering to KELLY WATSON in person the REGISTERED AGENT of said Corporation a true copy of this CITATION, together with the accompanying certified copy of the PLINTIFF'S ORIGINAL PETITION

Fee Due \$ 0.00by Deputy Nancy Soto - 1C67

Printed

Deputy Signature



Attempts:

1

Total Attempts:

1

Alan Rosen, Constable Precinct #1

Harris County Texas

1302 Preston, 3rd Floor
Houston Texas 77002
713.755.5200

MARILYN BURGESS DISTRICT CLERK

Action : Other Injury or Damage

Case: 202010021-7

Trans ID: 213451163

Court: 270

Style PLT: LE, HUNG LONG

DEF: WATSON AND GRINDING MANUFACTURING COMPANY

Fee	Description	Amount
100	FILING NEW CASE	\$50.00
121	CITATION WITH 1 COPY	\$24.00
175	DISTRICT COURT RECORDS ARCHIVE FEE	\$10.00
176	DIGITAL REC PRESERVATION FEE	\$10.00
178	ELECTRONIC FILING FEE - STATE	\$30.00
183	JUDICIAL AND COURT PERSONNEL TRAINING	\$5.00
195	SECURITY SERVICE FEE	\$5.00
198	DIST CLK RECORDS MGMT / PRES FEE	\$5.00
199	RECORD PRESERVATION FEE	\$5.00
350	CONST-PERSONAL SERVICE	\$225.00
450	JUDICIAL FILING FEE - CIVIL	\$50.00
452	LEGAL SRVCS FEE-CIVIL/DIST	\$10.00
453	SUPPORT OF JUDICIARY FEE	\$42.00
475	LAW LIBRARY	\$15.00
525	STENO FEE	\$15.00
601	DISPUTE RESOLUTION FEE	\$10.00
775	APPELLANT JUDICIAL FUND	\$5.00

Payment Texas gov Visa	514510/1/2021	\$516.00
Amount Tendered		\$516.00
Payment Amount:		\$516.00
Amount Applied		\$516.00
Change Amount:		\$0.00

Received Law Offices of Robert A. McAllister, Jr., 10022506
and Associates P.C.
Of 6200 Savoy, Suite 310
Houston, TX 77036

FIVE HUNDRED SIXTEEN AND 00/100 *****Dollars

Payment Date: 2/13/2020

File Date: 2/12/2020

Customer Signature _____

Assessed By: GILBERT, COURTNI N

Validated: 2/13/2020

By .SYSTEM GENERATED, Texas gov 104

Manual Receipt Nbr: 0

Comment: Envelope number: 40794505 - 0

B/A RTC

1238/4508

CAUSE NO. 202010021

COPY OF PLEADING PROVIDED BY PLTD.

EXPIRE 2/25/2022
RECEIPT NO.

75.00 COL
TR # 73725373

PLAINTIFF: LE, HUNG LONG
vs.
DEFENDANT: WATSON AND GRINDING MANUFACTURING COMPANY

In The 270th
Judicial District Court
of Harris County, Texas
270TH DISTRICT COURT,
Houston, TX

P-12

THE STATE OF TEXAS
County of Harris

FILED
CITATION
Marilyn Burgess
District Clerk
MAR 13 2020 03-13-2020
Time: 1:00 PM
By: [Signature]
Mail Processing Clerk

TO: WATSON GRINDING AND MANUFACTURING COMPANY
BY SERVING ITS REGISTERED AGENT JOHN WATSON
OR WHEREVER HE MAY BE FOUND
4525 GESSNER ROAD HOUSTON TX 77041
Attached is a copy of PLAINTIFF'S ORIGINAL PETITION

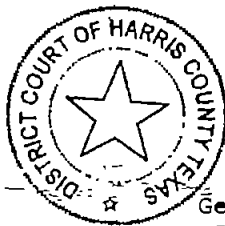
This instrument was filed on the 12th day of February, 2020, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 17th day of February, 2020, under my hand and seal of said Court.

Issued at request of:
MCALLISTER, ROBERT A. JR.
6200 SAVOY, SUITE 310
HOUSTON, TX 77036
Tel: (713) 776-0900
Bar No.: 13320700



Marilyn Burgess
MARILYN BURGESS, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P.O. Box 4651, Houston, Texas 77210)
Generated By: GILBERT, COURTNEY NICOLE-
U5U//11439580

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock ____ .M., on the _____ day of _____,
Executed at (address) _____ in
_____ County at _____ o'clock ____ .M., on the _____ day of _____,
_____, by delivering to _____ defendant, in person, a
true copy of this Citation together with the accompanying _____ copy(ies) of the Petition
attached thereto and I endorsed on said copy of the Citation the date of delivery.
To certify which I affix my hand officially this _____ day of _____,

FEE: \$ _____
_____ of _____ County, Texas

By _____
Affiant Deputy

On this day, _____, known to me to be the person whose
signature appears on the foregoing return, personally appeared. After being by me duly sworn,
he/she stated that this citation was executed by him/her in the exact manner recited on the
return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____,

Notary Public

B/A
JESSICA BUENTELLO
WILL TELL ATTORNEY

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04/22/20 BY 60322/UC/STP

PHILL BROWN
OVER 3 WEEK AGO
PER BANKRUPTCY COURT
HE IS NOT ALLOWED ON LOCATION
HAS NO OTHER INFO
3:6 11:13A CALLED
203 776 0900
JESSICA BUENTELLO
THE ATTORNEY WILL CALL
me BACK

CAUSE NO. 202010021

COPY OF PLEADING PROVIDED BY PLTD.

RECEIPT NO.

75.00

C01

TR # 73725373

PLAINTIFF: LE, HUNG LONG

vs.

DEFENDANT: WATSON AND GRINDING MANUFACTURING COMPANY

In The 270th
Judicial District Court
of Harris County, Texas
270TH DISTRICT COURT
Houston, TX

THE STATE OF TEXAS
County of Harris

CITATION

FILED
Marilyn Burgess
District Clerk
MAR 13 2020
Harris County, Texas
Mail Processing Clerk

TO: WATSON GRINDING AND MANUFACTURING COMPANY

BY SERVING ITS REGISTERED AGENT JOHN WATSON
OR WHEREVER HE MAY BE FOUND

4525 GESSNER ROAD HOUSTON TX 77041

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION

Served this ____ day of ____, 20__

ALAN ROSEN, Constable
Precinct #1, Harris County

By _____

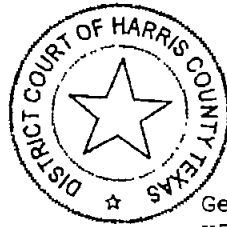
This instrument was filed on the 12th day of February, 2020, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 17th day of February, 2020, under my hand and seal of said Court.

Issued at request of:
MCALLISTER, ROBERT A. JR.
6200 SAVOY, SUITE 310
HOUSTON, TX 77036
Tel: (713) 776-0900
Bar No.: 13320700



Marilyn Burgess

MARILYN BURGESS, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P.O. Box 4651, Houston, Texas 77210)

Generated By: GILBERT, COURTNI NICOLE
U5U//11439580

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at ____ o'clock ____ M., on the ____ day of _____, ____.

Executed at (address) _____ in

____ County at ____ o'clock ____ M., on the ____ day of _____,

____, by delivering to _____ defendant, in person, a

true copy of this Citation together with the accompanying ____ copy(ies) of the Petition

attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this ____ day of _____, ____.

FEE: \$ _____

____ of _____ County, Texas

By _____

Deputy

Affiant

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this ____ day of _____, ____.

Notary Public

Constable Return of Individual

Cause #: 202010021Tracking #: 73725373

In the case of LE: HUNG LONG VS WATSON AND GRINDING MANUFACTURING COMPANY a CITATION and attached PLAINTIFF'S ORIGINAL PETITION was issued by the 270th Judicial District court of HARRIS County, TX and came to hand on the 25 day of February, 2020 at 2:08PM to be delivered at 4525 GESSNER RD, HOUSTON, Tx 77041 by delivering to: WATSON GRINDING AND MANUFACTURING COMPANY BY SERVING ITS REGISTERED AGENT JOHN WATSON OR WHEREVER HE MAY BE FOUND

Attempted Service

(Attempted service at 4525 GESSNER RD, HOUSTON, Tx, 77041 unless otherwise noted.)

Date	Time	Deputy Name	Agency	Service Attempt Type	Attempted Address	Remarks
3/12/2020	11:24:06 AM	JD LANE	1	RTC UNSERVED	4525 GESSNER RD HOUSTON Tx 77041	THE PLAINTIFF DID NOT GIVE ME AN ALTERNATE ADDRESS.
3/12/2020	11:15:38 AM	JD LANE	1	PHONE CALL / EMAIL	4525 GESSNER RD HOUSTON Tx 77041	I CALLED JESSICA BUENTELLO, WHO STATED SHE WILL LET THE ATTORNEY KNOW THAT I CALLED AGAIN.
3/6/2020	11:13:04 AM	JD LANE	1	PHONE CALL / EMAIL	4525 GESSNER RD HOUSTON Tx 77041	I CALLED PLAINTIFF (713-776-0900) JESSICA BUENTELLO, WHO STATED THE ATTORNEY WILL CALL ME BACK REGARDING THIS CITATION.
3/4/2020	1:38:45 PM	JD LANE	1	BAD ADDRESS	4525 GESSNER RD HOUSTON Tx 77041	FOR OVER 3 WEEKS AGO, PER BANKRUPTCY COURT MR WATSON HAS NOT BEEN ALLOWED ON LOCATION. HE DONT HAVE ANY CONTACT INFORMATION FOR MR WATSON.

24
32-20

NOT EXECUTED to the defendant: WATSON GRINDING AND MANUFACTURING COMPANY BY SERVING ITS REGISTERED AGENT JOHN WATSON OR WHEREVER HE MAY BE FOUND

The information received as to the whereabouts of the said defendant being:

Constable Return of Individual

Cause #: 202010021

Tracking #: 73725373

Fee Due \$ 0.00

by Deputy JD LANE - 1C38

Printed

Deputy Signature

JD Lane

Attempts:

4

Total Attempts:

4

Alan Rosen , Constable Precinct #1

Harris County Texas

1302 Preston, 3rd Floor
Houston Texas 77002
713.755.5200

2/12/2020 4:38 PM
 Marilyn Burgess - District Clerk Harris County
 Envelope No. 40704505
 By: Courtin Gilbert
 Filed: 2/12/2020 4:38 PM

2020-10021 / Court: 270

HUNG LONG LE, THI THUY NGUYEN,
Plaintiffs,

v.

WATSON GRINDING AND MANUFACTURING
 COMPANY; KMHJ, LTD.; KMHJ
 MANAGEMENT COMPANY, LLC,

Defendants.

§
§

IN THE CIVIL DISTRICT COURT

HARRIS COUNTY, TEXAS

____ JUDICIAL DISTRICT

§
§
§
§
§
§
§

PLAINTIFFS' ORIGINAL PETITION

Plaintiffs Hung Long Le and Thi Thuy Nguyen (hereinafter collectively referred to as "Plaintiffs") complain of Watson Grinding and Manufacturing Company, KMHJ, Ltd.; and KMHJ Management Company LLC (hereinafter collectively referred to as "Defendants") and would respectively show the Court that:

I.

JURISDICTION & VENUE

1. The claims asserted arise under the common laws of Texas. This Court has jurisdiction and venue is proper because the events giving rise to this lawsuit occurred in this County. TEX. CIV. PRAC. & REM. CODE § 15.002. Further, Defendants are residents of Harris County, Texas, and therefore, the case is not removable.
2. Plaintiff is seeking monetary relief over \$200,000.00 but not more than \$1,000,000.00.

II.

DISCOVERY LEVEL

3. Discovery in this matter may be conducted under Level 2 of the Texas Rules of Civil Procedure.

III.

PARTIES

4. Plaintiff Hung Long Le is a Texas resident.
5. Plaintiff Thi Thuy Nguyen is a Texas resident.
6. Defendant Watson Grinding and Manufacturing Company is a Texas entity with a principal place of business located in Harris County. The Defendant may be through its registered agent, John Watson at 4525 Gessner Road, Houston, Texas 77041, or wherever he may be found.
7. Defendant KHHJ, Ltd. is a Texas limited partnership with a principal place of business located in Harris County. This Defendant may be served by serving its general partner, KMHJ Management Company, LLC through its registered agent, Kelly Watson at 1400 McKinney Street, #1212, Houston, Texas 77010
8. Defendant KMHJ Management Company, LLC is Texas entity with a principal place of business located in Harris County. This Defendant may be served through its registered agent, Kelly Watson at 1400 McKinney Street, #1212, Houston, Texas 77010, or wherever she may be found.

IV.

NATURE OF THE ACTION

9. On January 24, 2020, Plaintiffs suffered injuries and property damage as a result of Defendants' negligence and gross negligence. At all material times Plaintiffs were home owners in a Northwest Houston neighborhood where Defendants own, operate, and manage an industrial facility. On that date, the Plaintiffs suffered injuries and serious property damage due to a catastrophic explosion at Defendants' facility. The explosion was

tremendous and could be felt miles away. It is believed that the explosion was caused by a combination of propylene and natural gas which were near each other at the facility.

Plaintiffs were within the blast radius and vicinity of the building at the time of the explosion and therefore suffered significant damage to their personal property, dwelling, in addition to bodily injuries.

V.

CAUSE OF ACTION

A. Negligence and Gross Negligence Claims (against all Defendants)

10. Plaintiffs repeat and reallege each allegation contained above.
11. Plaintiffs sustained injuries because of Defendants' negligence and gross negligence when Defendant:
 - a. Failed to properly train their employees;
 - b. Failed to provide adequate equipment;
 - c. Failed to properly supervise their employees;
 - d. Failed to conduct adequate maintenance;
 - e. Failed to maintain their facility;
 - f. Failed to maintain their equipment;
 - g. Failed to properly supervise work being performed;
 - h. Failed to provide adequate warning to Plaintiffs of the dangerous condition;
 - i. Failed to inform Plaintiffs of the defective nature of the condition;
 - j. Failed to provide adequate instruction;
 - k. Failed to properly inspect the premises;
 - l. Failed to implement adequate safety policies and procedures;

- m. Failed to insure its safety systems were adequate and functional;
- n. Failed to implement adequate explosion prevention systems;
- o. Failed to properly repair storage tanks, gas lines and valves;
- p. Failed to properly train its safety personnel to prevent explosions such as the one underlying the suit;
- q. Committed violations of applicable rules, regulations, and standards;
- r. Are icariously liable for the act(s) and omission(s) of their employee(s) and agent(s); and other acts deemed negligent and grossly negligent

12. Each of these acts and omissions of Defendants constitutes a wanton and reckless disregard for the safety of the Plaintiffs and singularly or in concert, constitutes a proximate cause of the resulting damages, including but not limited to loss of the use and enjoyment of their property, loss in value of their property; and other property damage.

13. In addition, Plaintiffs are entitled to punitive damages because the aforementioned actions of Defendants were grossly negligent. Defendants acted with flagrant and malicious disregard of Plaintiffs' and other's health and safety. Defendants were objectively aware of the extreme risk posed by the conditions which caused Plaintiffs' injuries, but did nothing to rectify them. Defendants' acts and omissions involved an extreme degree of risk considering the probability and magnitude of potential harm to Plaintiffs and others. Defendants had actual subjective awareness of the risk, and consciously disregarded such risk. According, Plaintiffs are entitled to and seek exemplary damages.

VI.

DAMAGES

14. As a direct and proximate result of the occurrence made in the basis of this lawsuit,

Plaintiffs have suffered and seek monetary relief for the following.

- A. Remedial costs for real property damage;
- B. Replacement costs for personal, property damage;
- C. Costs of completion;
- D. Expenses of temporary alternate housing;
- E. Past and future mental anguish;
- F. Past and future medical expenses;
- G. Past and future physical suffering;
- H. Loss of earnings and earnings capacity in the past and future;
- I. Past and future disfigurement;
- J. Interest on damages (pre and post-judgment) in accordance with the law
- K. Loss of household services in the past and future;
- L. Loss of use;
- M. Costs of suit;
- N. Incidental and consequential damages;
- O. Business interruption damages;
- P. Diminution in value of property; and
- Q. All other relief to which Plaintiffs may be justly entitled.

VII.

RULE 193.7 NOTICE

15. Pursuant to 193.7 of the Texas Rules of Civil Procedure, Plaintiffs hereby give actual notice to Defendants that any and all documents produced may be used against the Defendants producing the documents at any pretrial proceedings and/or trial of this matter

without the necessity of authenticating documents.

VIII.

PRAYER

WHEREFORE PREMISES CONSIDERED, Plaintiffs may pray that they obtain a judgment against Defendants, jointly and severally, for damages in the amount of \$500,000.00 and for such other relief, both in law and equity, to which Plaintiffs may show themselves justly entitled.

Respectfully submitted,

ROBERT A. McALLISTER, JR., P.C.

/S/ ROBERT A. McALLISTER JR.

Robert A. McAllister, Jr.

TBN: 13320700

Regency Square Tower

6200 Savoy, Suite 310

Houston, Texas 77036

Tel: (713) 776-0900

Fax: (713) 776-1414

robertmcallisterlaw@yahoo.com

ATTORNEY FOR PLAINTIFFS

HUNG LONG LE,

AND THI THUY NGUYEN

JESSICA
BENTON
BUENTELLO

MARILYN BURGESS DISTRICT CLERK

Action: Other Injury or Damage

Case: 202010021-7

Trans ID: 213451163

Court: 270

Style: PLT: LE, HUNG LONG

DEF: WATSON AND GRINDING MANUFACTURING COMPANY

Fee	Description	Amount			
100	FILING NEW CASE	\$50.00	Payment: Texas.gov Visa	514510/1/2021	\$516.00
121	CITATION WITH 1 COPY	\$24.00	Amount Tendered		\$516.00
175	DISTRICT COURT RECORDS ARCHIVE FEE	\$10.00	Payment Amount		\$516.00
176	DIGITAL REC PRESERVATION FEE	\$10.00	Amount Applied		\$516.00
178	ELECTRONIC FILING FEE - STATE	\$30.00	Change Amount		\$0.00
183	JUDICIAL AND COURT PERSONNEL TRAINING	\$5.00	Received	Law Offices of Robert A. McAllister, Jr., 10022506 and Associates P.C.	
195	SECURITY SERVICE FEE	\$5.00	Of	6200 Savoy, Suite 310	
198	DIST CLK RECORDS MGMT / PRES FEE	\$5.00		Houston, TX 77036	
199	RECORD PRESERVATION FEE	\$5.00		FIVE HUNDRED SIXTEEN AND 00/100 *****Dollars	
350	CONST-PERSONAL SERVICE	\$225.00	Payment Date: 2/13/2020	File Date: 2/12/2020	
450	JUDICIAL FILING FEE - CIVIL	\$50.00			
452	LEGAL SRVCS FEE-CIVIL/DIST	\$10.00	Customer Signature		
453	SUPPORT OF JUDICIARY FEE	\$42.00	Assessed By: GILBERT, COURTNI N		
475	LAW LIBRARY	\$15.00	Validated: 2/13/2020	By: SYSTEM GENERATED, Texas gov 104	
525	STENO FEE	\$15.00	Manual Receipt Nbr: 0		
601	DISPUTE RESOLUTION FEE	\$10.00			
775	APPELLANT JUDICIAL FUND	\$5.00			

Comment: Envelope number: 40794505 - 0